

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 07-00075-01-CR-W-HFS
ALPHONSO ADAMS,)
)
Defendant.)

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on June 27, 2007. Defendant Adams appeared in person and with appointed counsel Anita Burns. The United States of America appeared by Assistant United States Attorney Stefan Hughes.

I. BACKGROUND

On February 28, 2007, an indictment was returned charging Defendant with one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1). The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Hughes announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Special Agent Dan Cassidy, ATF.

Ms. Burns announced that she will be the trial counsel for Defendant Adams. Julie Eilers, investigator, will assist at trial.

III. OUTSTANDING MOTIONS

Defendant's motion in limine (Doc. No 29), filed June 25, 2007, is currently pending.

IV. TRIAL WITNESSES

Mr. Hughes announced that the government intends to call twenty-six witnesses without stipulations or eight witnesses with stipulations during the trial.

Ms. Burns announced that Defendant Adams intends to call five witnesses during the trial. Defendant Adams may testify.

V. TRIAL EXHIBITS

Mr. Hughes announced that the government will offer approximately twenty-five exhibits in evidence during the trial.

Ms. Burns announced that Defendant Adams will offer approximately five to eight exhibits in evidence during the trial.

VI. DEFENSES

Ms. Burns announced that Defendant Adams will rely on the defenses of general denial and entrapment.

VII. POSSIBLE DISPOSITION

Ms. Burns stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to prior felony conviction and the firearm's nexus to interstate commerce.

IX. TRIAL TIME

Counsel were in agreement that this case will take two days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 21, 2007, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by Wednesday, June 27, 2007;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Tuesday, July 10, 2007;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Tuesday, July 10, 2007. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine on convictions over ten years old will probably be filed. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on July 16, 2007.

/s/ *Robert E. Larsen*

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
June 27, 2007

cc: The Honorable Howard F. Sachs
Mr. Stefan Hughes
Ms. Anita Burns
Mr. Jeff Burkholder